

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION**

WAYLON SAWITSKI,

Plaintiff,

v.

Civil Action No.: 1:21-CV-13

Judge: Thomas Kleeh

**NOAH MCDONALD, an underinsured
motorist, and NATIONWIDE MUTUAL
INSURANCE COMPANY,**

Defendants.

AGREED FINAL DISMISSAL ORDER

Plaintiff Waylon Sawitski, by counsel, and Defendant Nationwide Mutual Insurance Company ("Nationwide"), by counsel, hereby advise the Court that all matters between them have been resolved. As stated in the Joint Notice of Settlement [Doc 8], Plaintiff does not intend to pursue claims against Defendant Noah McDonald. Accordingly, the Court **ORDERS** that all claims asserted in this action are **DISMISSED, WITH PREJUDICE**, with each party bearing their own costs and expenses.

The Court **DIRECTS** the Clerk to transmit copies of this Order to counsel of record.

Date: May 21, 2021



JUDGE Thomas Kleeh

Prepared by:

/s/Ashley Hardesty Odell

Ashley Hardesty Odell [WVSB # 9380]

Kaitlyn N. McKittrick [WVSB # 12782]

Bowles Rice LLP

125 Granville Square, Suite 400

Morgantown, WV 26501

(304) 285-2500

(304) 285-2527 - Facsimile

ahardestyodell@bowlesrice.com

kmckittrick@bowlesride.com

*Counsel for Nationwide Mutual Insurance
Company*

Approved for entry:

/s/Jo Marie Pitrolo by AHO w/ permission

Jo Marie Pitrolo [WVSB # 2916]

Higinbotham & Higinbotham, PLLC

320 Adams Street, Suite 201

P.O. Box 567

Fairmont, West Virginia 26554

(304) 366-2900

(304) 366-2909 - Facsimile

Jmp3032@yahoo.com

Counsel for Plaintiff